

REMARKS

Claims 1-55 and 57-59 are pending in the current application. Claim 56 is cancelled herein. Claims 1-47, 53, 54 and 59 were withdrawn by the Examiner as drawn to nonelected inventions.

Drawings

The Examiner objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) alleging that they do not include the following reference sign(s) mentioned in the description: Figures 2A-2D. Applicants respectfully submit that Figure 2 includes reference characters A, B, C and D and complies with 37 CFR 1.84(p)(5). Each of the panels includes the reference sign described in the Description of the drawings on page 6 of the Specification. Applicants respectfully request that this objection be withdrawn.

Specification

The Examiner objected to the title of the invention as not descriptive. Applicants have amended the title of the invention consistent with the currently elected invention and respectfully request that this objection be withdrawn.

The Examiner found that the application contains amino acid or nucleotide sequences that are not identified on pages 7, 14, 46, 48, 61, 62 and Figure 8. The specification and Figures 8, 14, 15A and 15B have been amended to provide sequence identifiers in accordance with 37 CFR 1.821(d).

Applicants submit concurrently herewith a computer readable text copy of the Sequence Listing and Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825, as well as a replacement Figures 8, 14, 15A and 15B.

The Examiner noted the use of the trademark TWEEN in the application and requested that it be capitalized and accompanied by generic terminology. Applicants have so amended the specification and request that this objection be withdrawn.

The Examiner objected to the specification because it contains embedded hyperlinks on pages 6, 41, and 69. The referenced hyperlinks are part of Applicants' written description of the invention. Applicants do not intend to have these hyperlinks as active links. Applicants respectfully submit that these hyperlinks are acceptable under MPEP § 601.01 VII and request that this objection be withdrawn.

Applicants have, however, deleted the hyperlink on page 14, line 5, consistent with MPEP § 601.

Claim Rejections – 35 U.S.C. § 112

Claim 56 was rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. To expedite prosecution, Claim 56 has been cancelled. Applicants respectfully submit that this rejection is moot and request it be withdrawn.

Claims 48-52 and 55-58 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Examiner alleges that Claim 48 is vague and indefinite in the recitation of "Imp protein" and "Neisserial Hsf protein." Applicants respectfully traverse this rejection.

The meaning of these terms is clear in light of the contents of the application disclosure, the teachings of the prior art and the interpretation by one of ordinary skill in the art. Therefore, these claims meet the requirements of 35 USC 112, second paragraph. M.P.E.P. § 2173.02

For example, on page 3, line 13 of the specification, Applicants set forth that "[t]he *imp* gene encodes the Imp/OstA protein, which is an outer membrane protein of Gram negative bacteria." Further references to teachings where Imp is described are also set forth in this paragraph.

Additionally, on page 13, beginning on line 33; page 41, beginning on line 9; and page 42, beginning on line 16, Applicants describe the Hsf protein and provide references in which the protein is described.


Applicants respectfully submit that those skilled in the art would understand what is claimed when the claims are read in light of the specification. Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

Should any outstanding issues remain, the Examiner is encouraged to contact Applicants' undersigned representative.

Date: May 1, 2009
GlaxoSmithKline Inc.
Corporate Intellectual Property
Five Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709
Tel. (919) 483-1891
Fax: (919) 483-7988

Respectfully submitted:


Alice P. Bradney
Attorney for Applicants
Reg. No. 51,491